

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3146
	)	
V.	)	
	)	
ROBERT MARKS,	)	MEMORANDUM
	)	AND ORDER
	)	
Defendant.	)	

After consideration of the views of the lawyers,

IT IS ORDERED that:

1. The motion to modify conditions of pretrial release (filing 27) is denied in part and granted in part as provided herein.
2. The Walsh Act Amendments to the Bail Reform Act are not unconstitutional.
3. Paragraph 7t and any other provision of the order setting conditions of release (filing 15) regarding electronic monitoring and curfew are suspended until further order of the court. However, the Pretrial Services Officer shall promptly report to the undersigned or Judge Piester any evidence suggesting that the electronic monitoring or curfew conditions should be reactivated. The court reserves the right to reactivate these conditions without further notice.
4. Except for the electronic monitoring and curfew conditions that have been suspended, all other conditions of release that were previously imposed remain in force.
5. The Clerk shall provide a copy of this memorandum and order to Judge Piester and to the Pretrial Services Office.

DATED this 24<sup>th</sup> day of June, 2009.

BY THE COURT:

*S/Richard G. Kopf*  
United States District Judge